THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MARCH 16, 2004
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:
The meeting was called to order by Mayor Murphy at 10:08 a.m. The meeting was recessed by Deputy Mayor Atkins at 11:55 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Atkins at 2:09 p.m. with Mayor Murphy and Council Member Inzunza not present. Deputy Mayor Atkins recessed the meeting at 3:40 p.m. for the purpose of a break. The meeting was reconvened by Deputy Mayor Atkins at 3:55 p.m. with Mayor Murphy not present. Deputy Mayor Atkins adjourned the meeting at 6:03 p.m.

ATTENDANCE DURING THE MEETING:

      (M) Mayor Murphy-present

      (1) Council Member Peters-present

      (2) Council Member Zucchet-present

      (3) Council Member Atkins-present

      (4) Council Member Lewis-present

      (5) Council Member Maienschein-present

      (6)   Council Member Frye-present

      (7) Council Member Madaffer-present

      (8) Council Member Inzunza-present

      Clerk-Abdelnour (er/pr)

   FILE LOCATION: MINUTES

ITEM-300:   ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Murphy-present
(1) Council Member Peters-present
(2) Council Member Zucchet-present
(3) Council Member Atkins-present
(4) Council Member Lewis-present
(5) Council Member Maienschein-present
(6) Council Member Frye-present
(7) Council Member Madaffer-present
(8) Council Member Inzunza-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Jeff De Meester commented on Camp Hope.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:08 a.m. – 10:12 a.m.)

PUBLIC COMMENT-2:

Ron Boshun commented on Council's actions.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:12 a.m. – 10:15 a.m.)

PUBLIC COMMENT-3:

Gregorie Hedgley-Gruber thanked Council for their hard work.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:15 a.m. – 10:17 a.m.)

PUBLIC COMMENT-4:

Jarvis Ross commented on Sea World and the splash-down ride.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:17 a.m. – 10:19 a.m.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council Member Frye announced that the Mira Mesa Little League is raising funds for a much needed new snack bar. Ms. Frye recommended the movie "Same River Runs Twice." Ms. Frye also announced that today is the anniversary of the Freedom of Information Act.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 10:24 a.m. – 10:28 a.m.)

CITY MANAGER COMMENT:

None.

CITY ATTORNEY COMMENT:

City Attorney Casey Gwinn commented on the Family Justice Center and the work that is being done nationally to create more justice centers modeled after San Diego's Family Justice Center.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:24 a.m.)

ITEM-330:   Tenants' Right To Know (Cause Eviction) Ordinance.

(See City Attorney Reports dated 10/31/2003 and 3/2/2004 (not available at Committee); memorandum from Councilmember Frye dated 11/5/2003; and citizens' letters.)

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2004-55)   INTRODUCED AS AMENDED, TO BE ADOPTED ON MONDAY, MARCH 29, 2004

Introduction of an Ordinance amending Chapter 9, Article 8, of the San Diego Municipal Code, by adding a new Division 7, titled "Tenants' Right to Know Regulations;" and by adding new Sections 98.0701, 98.0702, 98.0720, 98.0725, 98.0730, 98.0750, 98.0760, and 98.0765, all pertaining to Cause for Residential Evictions.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 11/5/2003, LU&H voted 4 to 1 to adopt the City Attorney's proposed draft cause eviction ordinance with the new title Tenants' Right to Know and to revise the just cause provision of the draft ordinance (subject to review and revision from the City Attorney) with the following language:

"A tenant who has resided in the same dwelling unit for at least two years may only be evicted for good cause, including serious or repeated violation of the terms and conditions of the lease; violation of a federal, state or local law which imposes an obligation on the tenant in connection with the occupancy or use of the dwelling unit and surrounding premises; or other good cause.

Other good cause includes but is not limited to: failure by the tenant to accept the offer of a new lease; a tenant history of disturbance of neighbors or destruction of property, or of living of housekeeping habits resulting in damage to the unit or property; criminal activity by tenants involving crimes of physical violence to persons or property; the owner's desire to utilize the unit for personal or family use or for a purpose other than use as a residential rental unit; or a business or economic reason for termination of the tenancy such as sale of the property or renovation of the unit." (Councilmembers Zucchet, Atkins, Lewis, and Frye voted yea. Councilmember Peters voted nay.)

> FILE LOCATION: NONE
>
> COUNCIL ACTION: (Time duration: 10:28 a.m. – 11:55 a.m.;
>   2:11 p.m. – 5:58 p.m.)

Motion by Madaffer to continue for further review. Second by Peters. Failed. Yeas-1, 5, 7; nays-2, 3, 4, 6, 8; not present-Mayor.

MOTION BY FRYE TO INTRODUCE THE ORDINANCE AS AMENDED TO DELETE SECTION 98.0725 (E); "PRE-EXISTING LEASES," AND TO EDIT SECTION 98.0750 WITH THE WORDS "GROUNDS" TO BE SUBSTITUTED FOR THE WORDS "SPECIFIC SUBSECTION OF SECTION 98.0730." Second by Lewis. Passed by the following vote: Peters-nay, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-nay, Frye-yea, Madaffer-nay, Inzunza-yea, Mayor Murphy-not present.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Atkins at 6:03 p.m. in honor of the memory of:

Marian Castille Roberts, and Robert A. Grospe as requested by Council Member Lewis.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 6:00 p.m. – 6:03 p.m.)